

GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT

Public Servants – Institute of Preventive Medicine – Sri N. Poornachandra Rao, Gazetted Food Inspector, Krishna district – Trapped on 21.11.2004 – Placed on suspension – Acquitted by the ACB Court – Further action dropped – Suspension period treated as 'not duty' – Review petition – Allowed and period of suspension – Treated as 'on duty' – Orders – Issued.

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HEALTH MEDICAL & FAMILY WELFARE (VC.I) DEPARTMENT

G.O. Rt. No. 1083

Dated: 16-08-2010

- 1) Proceedings of the Director, Institute of Preventive Medicine, Public Health Labs and Food (Health) Administration, Hyderabad, Rc. No. 8097/E1/2004-1, dated 22.12.2004.
- 2) From the Director General, ACB, Report No. 171/RCT VK-1/ 2004-S9, dated 22.08.2005.
- 3) G.O.Ms. No. 567, Health Medical & Family Welfare (VC.I) Department, dated 14.11.2005.
- 4) G.O. Rt. No. 100, Health Medical & Family Welfare (VC.I) Department, dated 27.01.2007.
- 5) Judgment of the Special Judge for SPE & ACB Cases, Vijayawada in C.C. No. 65 of 2007, dated 15.10.2009.
- 6) G.O. Rt. No.437, Health Medical & Family Welfare (VC.I) Department, dt. 26.03.2010.
- 7) G.O. Rt. No. 439, Health Medical & Family Welfare (VC.I) Department, dt. 26.03.2010.
- 8) From Sri N. Poornachandra Rao, Gazetted Food Inspector, West Godavari district, Eluru, representation, dt. nil.

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ORDER:

Sri N. Poornachandra Rao, Gazetted Food Inspector, Krishna district, Machilipatnam was trapped by the ACB officials on 21.11.2004, when he demanded and accepted the bribe from the complainant for doing official favour. Therefore, in the reference first read above, orders were issued that the Accused Officer was deemed to have been under suspension with effect from 21.11.2004. Based on the recommendations of the D.G., ACB, in the G.O. third read above, Government accorded sanction for prosecution of Sri N. Poornachandra Rao, Gazetted Food Inspector, Krishna district in a court of law. In the G.O. fourth read above, the order of suspension of the individual was reviewed and Government issued orders revoking his suspension and reinstating him into service. In the reference fifth read above, the Hon'ble Special Judge for SPE & ACB cases, Vijayawada pronounced judgment in C.C. No. 65 of 2007, acquitting the A.O. from the charge. Government accepted the acquittal judgment of the Trial Court and accordingly in the G.O. six read above, issued orders dropping further action against Sri N. Poornachandra Rao, Gazetted Food Inspector, Krishna district, Machilipatnam. In the G.O. seventh read above, orders were issued treating the period of suspension as 'not duty' and limiting the pay and allowances to the subsistence allowance already paid during the said period.

2. In his representation eighth read above, Sri N. Poornachandra Rao, Gazetted Food Inspector, West Godavari district, Eluru has submitted, among

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others, that he was acquitted by the ACB Court on merits and as such his suspension is wholly unjustified and the period of suspension has to be treated as 'on duty' and requested to set aside the orders issued in G.O. seventh read above and to regularize the period of suspension as on duty.

3. After careful examination of the contentions raised by the individual vis-à-vis the judgment of the ACB Court in C.C. No. 65 of 2007, Government have decided to allow the review petition of Sri N. Poornachandra Rao, GFI, West Godavari district, Eluru and decided to regularize the period of suspension as 'on duty' with all consequential benefits. Accordingly, Government hereby order that, in cancellation of the orders issued in the G.O. seventh read above, under F.R. 54-B, the period of suspension of Sri N. Poorchandra Rao, Gazetted Food Inspector, West Godavari district, Eluru shall be treated as 'on duty' with all consequential benefits.

4. The Director, Institute of Preventive Medicine, Public Health Labs & Food (Health) Administration, Hyderabad shall take necessary action in the matter.

5. This order does not require the concurrence of Finance Department as per rules or orders in vogue.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr. P.V. RAMESH  
SECRETARY TO GOVERNMENT

To  
Sri N. Poornachandra Rao,  
Gazetted Food Inspector,  
West Godavari district,  
ELURU  
(through Director, Institute of Preventive Medicine,  
Public Health Laboratories & Food (Health) Administration,  
Hyderabad)  
The Director,  
Institute of Preventive Medicine,  
Public Health Labs & Food (Health) Administration,  
Hyderabad.  
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//Forwarded By order//

Section officer